

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	AMENDED ORDER GRANTING MOTION
)	FOR RELEASE FROM CUSTODY
vs.)	
)	
Garrett Lane Vigen,)	Case No. 1:20-cr-081
)	
Defendant.)	

On June 11, 2020, the Court issued an order detaining pending trial. On June 18, 2020, the court issued an order conditionally releasing defendant to attend treatment at the Keystone Treatment Center in Canton, South Dakota, with the caveat that he would return to custody upon completion of treatment. Defendant successfully completed treatment and on August 7, 2020, returned to custody.

On August 19, 2020, defendant filed a Motion for Release from Custody. He advises that he been accepted into the New Day Sober Living facility in Mandan, North Dakota. He requests to be conditionally released to this facility pending final disposition of this matter.

There being no objection from the United States, the court **GRANTS** defendant's motion (Doc. No. 36). Defendant shall be released to his grandmother no earlier than 12:00 p.m. on August, 21, 2020, for immediate transport to the New Day Sober Living facility. Defendant's release shall be subject to the following conditions:

- (1) Defendant shall not violate federal, state, tribal, or local law while on release.
- (2) Defendant shall appear in court as required and surrender for any sentence imposed.
- (3) Defendant shall refrain from the use of alcohol; any use or possession of a narcotic

drug and other controlled substances defined in 21 U.S.C. § 802 or state statute, unless prescribed by a licensed medical practitioner, and any use of inhalants. Defendant shall submit to drug/alcohol screening at the direction of the Pretrial Services Officer to verify compliance. Failure or refusal to submit to testing or tampering with the collection process or specimen may be considered the same as a positive test.

- (4) Defendant shall not possess a firearm, destructive device, or other dangerous weapon.
- (5) Defendant shall reside at the New Day Sober Living facility, fully participate in its programs, and abide by its rules and regulations.
- (6) Defendant shall submit his person, residence, vehicle, and/or possessions to a search conducted by a Pretrial Services Officer at the request of the Pretrial Services Officer. Failure to submit to a search may be grounds for revocation of pretrial release. Defendant shall notify any other residents that the premises may be subject to searches pursuant to this condition.
- (7) Defendant shall not knowingly or intentionally have any direct or indirect contact with any codefendants, except that counsel for the defendant, or counsel's agent or authorized representative, may have such contact with such person(s) as is necessary in the furtherance of the defendant's legal defense.
- (8) Defendant shall report to the Pretrial Services Officer at such times and in such manner as designated by the Officer.

IT IS SO ORDERED.

Dated this 24th day of August, 2020.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court